

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

COLBY GOROG, JOSHUA FLINT,  
LOUIS ROBINSON, and MICHAEL LERRO,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

ELON MUSK and TESLA, INC.,

Defendants.

**Civil Action No.: 1:22-cv-05037-AKH**

**DECLARATION OF PLAINTIFF  
COLBY GOROG IN OPPOSITION  
TO DEFENDANTS' MOTION TO  
AMEND, MAKE ADDITIONAL  
FINDINGS, AND AMEND FINAL  
JUDGMENT**

I, Colby Gorog, pursuant to 28 U.S.C. Section 1746, hereby declare as follows:

1. My name is Colby Gorog; I am one of the four Lead Plaintiffs appointed by the Court.
2. I submit this declaration in opposition to Defendants' motion to amend, make additional findings, and amend final judgment.
3. I, along with many others, suffered financial losses from trading Dogecoin, and I believe that Mr. Musk bears responsibility for these losses due to the various reasons articulated in our case.
4. After this case was filed in June 2022, I heard about it through the press and contacted Plaintiffs' attorney Evan Spencer.
5. Over the past two years, Mr. Spencer has been working diligently on this case; he is sincerely pursuing justice in the spirit of service to his clients.
6. I have met with Mr. Spencer in person on three occasions for extensive discussions about the case, once in White Plains and twice in Manhattan.
7. Mr. Spencer consistently calls me to ensure I am kept informed of all the details regarding the case.

8. Mr. Spencer forwards me copies of most everything in the case and asks for approval before acting on behalf of the Plaintiffs.
9. I have been included on the second amended complaint, third amended complaint, fourth amended complaint, all legal briefs filed with the court, together with correspondence to opposing counsel and numerous other documents including the court's orders and Defendants' memorandums of law.
10. The confidential offer of settlement, which Defendants have made a matter of public record, was authorized by me.
11. Most recently, I was provided copies of the Court's order of dismissal and Defendants' motion for sanctions.
12. This has been a huge undertaking for me, but as a lead Plaintiff in a case of this magnitude, I have taken my responsibilities very seriously.
13. As a veteran Army Ranger, I pride myself on character.
14. Despite my personal respect for Mr. Musk and his numerous successes, I sincerely believe he is responsible for the damages sustained by the class and that Mr. Spencer is legitimately seeking justice and acting in good faith.

SWORN TO THIS TENTH DAY OF OCTOBER, 2024 BY:

A handwritten signature in black ink, appearing to read 'Colby Gorog', with a stylized, flowing script.

**COLBY GOROG**  
*Lead Plaintiff*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 10<sup>th</sup> Day of October, 2024, a true and correct copy of the above and foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, giving notice to all parties in this action.

/s/Evan Spencer  
Evan Spencer, Esq.